



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, October 01, 2008
9:00 AM**

1. INVOCATION

Betty Colwell, Clerk of the Board's Office, delivered the invocation.

2. PLEDGE OF ALLEGIANCE

Josh Harts, Clerk of the Board's Office, led the assemblage in the Pledge of Allegiance.

3. ROLL CALL

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, October 01, 2008, in the Supervisors Auditorium, 205 W. Jefferson, Phoenix, AZ with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1 (entered late); Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager and Victoria Mangiapane, Deputy County Attorney.

BOARD OF SUPERVISORS

4. Pet Showcase by Maricopa County Animal Care and Control.

Aprille Hollis introduced a 3-month old kitten, so inquisitive she immediately began nibbling on the microphone, and Aprille said the kitten also loves to snuggle. This kitten is available today for only \$50 and she has a sister who is also available today for \$50, if a household can stand two frisky kitties. Both are licensed, neutered and have received their shots for this price. Call 602-506-PETS for more information.

STATUTORY HEARINGS

Clerk of the Board

5. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. DON LUIS' FINE MEXICAN FOOD

Approve an application filed by Alfredo Ponce Barboza for an Agent Change from Jose Luis Sedano, for Don Luis' Fine Mexican Food, at 9624 E. Apache Trail, Mesa, AZ 85207. AZ #12077551, MC017AC. (C-06-09-076-L-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

b. FRIENDLY HOUSE

Approve a Special Event Liquor License Application for Luis Ibarra, Friendly House, 7611 S. 29th Avenue, Laveen, AZ 85339, on October 24, 2008, 5:00 p.m. to Midnight. (SELL #852) (C-06-09-095-L-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

c. ST. WILLIAM CATHOLIC PARISH

Approve an application filed by Alicia A. Hernandez for a Special Event Liquor License for St. William Catholic Parish, October 25, 2008, 4:00 to 11:00 p.m. and October 26, 2008, noon to 9:00 p.m. (SELL #853) (C-06-09-103-L-00)

The Clerk announced, prior to the vote, that approval of this application is contingent on completion of a Temporary Use Permit.

Motion to approve contingent on successful completion of TUP by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

d. ST. ROSE PHILLIPPINE DUCHESNE KNIGHTS OF COLUMBUS #13719

Approve an application filed by Shawn Patrick Masterson for a Special Event Liquor License at 2825 W. Rose Canyon Circle, Anthem, AZ 85086 on October 11, 2008, 6:00 to 10:00 p.m. and November 15, 2008, 6:00 to 10:00 p.m. (SELL #854) (C-06-09-114-L-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson,
Absent: Brock,

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

6. FIREWORKS PERMIT - FIREWORKS PRODUCTIONS OF AZ - SCHNEPF FARMS

Pursuant to A.R.S. §36-1603, approve the application from Fireworks Productions of Arizona, Ltd, for a firework's display permit at Schnepf Farms Annual Pumpkin & Chili Party, 22601 E. Cloud Road, Queen Creek, AZ on following weekends: October 2-5; 9-12; 16-19; 23-26; 30 & 31, and November 1 and 2, 2008. (A665-76) (C-06-09-093-L-00)

Supervisor Stapley said this yearly celebration by Schnepf Farms is a wonderful event that he and his family have enjoyed many times. He encouraged everyone to try to attend on one of the designated weekends to have a very good time.

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

Clerk of the Court

7. ADDITION TO THE COUNTY FLEET OF ELECTRIC CARGO CARRIERS

Approve the Permanent addition to the fleet of two 2008 Electric Cargo Carriers, valued at \$30,000 for the purpose of transporting court documents, files, mail, supplies, and related items between downtown court facilities. Funding for these vehicles is Clerk of the Superior Court (160), General Fund (100). Ongoing operating and maintenance costs are estimated at \$1,200 annually and will be paid from Clerk of the Superior Court (160) General Fund (100). A detailed cross-referenced list of vehicle identification numbers is kept on file in the Clerk of the Board's Office.

Due to the confidential nature of items transported, each Electric Cargo Carrier will include an enclosed cab and van body with lockable doors for security. Including these vehicle modifications, the purchase cost for two electric cargo carriers will not exceed \$30,000. This item is budgeted in the Clerk of the Superior Court (160) General Fund (100) FY 2008-09 budget. (C-16-09-002-V-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

8. EXECUTIVE COMPENSATION PACKAGE - ADDITIONAL LEAVE REQUEST

Approve an Executive Compensation Package (ECP) for Ronald Bitterli, an unclassified IT Division Manager in the Clerk of Superior Court, awarding a Schedule 3 Leave Accrual Rate effective July 28, 2008. (C-16-09-003-M-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

County Attorney

9. AMENDMENT TO AGREEMENT WITH ARIZONA CRIMINAL JUSTICE COMMISSION

Approve Amendment No. 1 to the agreement between Maricopa County on behalf of the Maricopa County Attorney's Office and the Arizona Criminal Justice Commission (ACJC) for the FY 2007-2008 Gerald Hardt Memorial Criminal Justice Records Improvement (CJRI) grant in the amount of \$134,316. This grant agreement, ACJC number CRI07-08-107, commenced on October 1, 2007 and was to terminate on September 30, 2008. This amendment will extend the term of the grant until June 30, 2009. This amendment also alters the grant agreement budget and moves \$30,000 from consulting services line item to the capital equipment line item to provide funds to purchase a needed computer server. Revenue and expenditure appropriations were included in the County Attorney (190) grant fund (219) operating (0000) and no further appropriation adjustments are required. These grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. Approve an exception to the FY 2008-2009 purchasing freeze and the Technology Finance Program (TFP) that allows the County Attorney to purchase two blade server to be used in conjunction with the new County Attorney Notification System (CANS). The servers will be purchased using a portion of the funding received through this grant. Two blade servers to be purchased are HP Proliant BL460c class servers, with memory, and storage (or equivalent), five 300GB SAS hard drives, and VM ware system management software. This blade servers, accompanying software and accessories are compatible with the County

platform. This is a one-time grant-funded purchase and no future automatic replacement of these blade servers from the general fund will be expected by the County Attorney. On-going hardware and software maintenance costs will be absorbed by the County Attorney (190) General fund (100) annual operating (0000) budget in subsequent years. (C-19-08-018-3-01)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

10. ACCEPT PROJECT SAFE NEIGHBORHOOD ANTI-GANG FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. Anti-Gang-09-001, in the amount of \$85,000. These grant funds are for the enhancement of efforts to prosecute gang offenders. The grant award begins on July 1, 2008 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$11,900. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$11,900. Also, approve revenue and expenditure appropriation increases to the County Attorney's Office (190) County Attorney Grants Fund (219) Operating (0000) associated with the grant in an amount not to exceed \$85,000 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-19-09-023-G-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

11. CONTRACT WITH MICHELE BECKER FOR FORENSIC EXAMINATIONS

Approve a Contract between Michele Becker and Maricopa County through the County Attorney's Office, in the not-to-exceed amount of \$50,000. The purpose of this contract is to gather and collect evidence, conduct forensic interviews, provide courtroom testimony and otherwise assist the Maricopa County Attorney's Office in the investigation and prosecution of sexual assaults or sexual abuse matters involving minors. This contract is effective from August 15, 2008 until June 30, 2009.

Michele Becker will be reimbursed \$300 per interviewee per case for interviews and \$120 per hour for expert testimony, but not-to-exceed \$50,000. This contract is exempt from the Procurement Code by virtue of MCI 102(B). (C-19-09-026-3-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

12. SETTLEMENT OF NEW MAGMA IRRIGATION & DRAINAGE DISTRICT V MARICOPA COUNTY ET AL. CV2008-051109

Approve the Settlement between Maricopa County and Plaintiff(s), in New Magma Irrigation & Drainage District v. Maricopa County et al., concerning Superior Court No. CV2008-051109 for an amount not-to-exceed \$6,500. Authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. Also, per A.R.S. §42-17106(B), approve a transfer of expenditure authority from Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring (0001) to Non-Departmental (470) General Fund (100) Other Program (4712) Non-Recurring (0001) line item "New Magma Irrigation & Drainage District" in an amount not-to-exceed \$6,500. This action requires an expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring (0001) in an amount not-to-exceed \$6,500 and increasing the FY 2008-09 Non-Departmental (470) General Fund (100) Other Program (4712) Non-Recurring (0001) line item "New Magma Irrigation & Drainage District" in an amount not-to-exceed \$6,500. This item was discussed in Executive Session on May 19, 2008. (C-19-09-025-S-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

13. RENEWAL OF IGA WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR GIITEM GANG PROSECUTION

Approve the renewal to an Intergovernmental Agreement between the State of Arizona through the Arizona Department of Public Safety and Maricopa County, extending the expiration date of the agreement from June 30, 2008 to June 30, 2009. The purpose of this Agreement is to enhance law enforcement services concerning the criminal activities of gangs and gang members, through the cooperative efforts of the County Attorney and the Department of Public Safety in accordance with the provisions of Senate Bill 1222, Chapter 287 of the 48th Legislature. The Agreement was originally effective July 1, 2007. The IGA automatically renews for one year if funding is available. In accordance with the terms of the agreement, the Arizona Department of Public Safety has notified us that FY 08-09 funding is available and the renewal has been approved. The Board of Supervisors previously approved the receipt of funds from the Arizona Department of Public Safety in the amount of \$450,000 pursuant to the above agreement on November 14, 2007 (C1908031200). These funds will be used to pay the salaries and benefits of four new Prosecutors to prosecute State Gang Task Force cases and other criminal street gang cases submitted by law enforcement agencies in Maricopa County. The funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 14.0%. The non-recoverable indirect cost of administering this grant is \$63,000.00. These funds were included in the County Attorney (190) Grant fund (219) operating (0000) revenue and expenditure budget appropriation for FY 2008-2009. Therefore, no revenue, or expenditure appropriation adjustment is required for FY 2008/2009. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. (C-19-08-031-2-01)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

Sheriff

14. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR GRANT-FUNDED PURCHASE OF TWO TOUGHBOOK COMPUTERS

Approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the purchase of two toughbook computers through the Arizona Department of Homeland Security – Logistical Support Vehicle Grant. The estimated cost of these computers is \$7,820. The Sheriff's Office was awarded funding from the Arizona Department of Homeland Security, which was approved by the Board of Supervisors on September 3, 2008 (C-50-09-004-G-00).

This authorization is required to complete the one-time purchase of these computers within the grant period. These toughbook computers will be tracked separately from the Sheriff's Office computers that are included in the TFP with no automatic replacement from the general fund at the end of their useful lives. (C-50-09-004-G-01)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

15. AGREEMENT WITH CITY OF SURPRISE FOR PARTICIPATION IN MCNNET (SALARY)

Approve the Agreement between the Maricopa County Board of Supervisors acting on behalf of the Maricopa County Sheriff's Office and the City of Surprise, whereby one Surprise Police Officer will be assigned to the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). The amount designated for salary reimbursement is \$71,000 and these funds are budgeted. The term of this Agreement is July 1, 2008 through June 30, 2009.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. The City of Surprise is a subrecipient of grant funds therefore indirect cost is not applicable (\$8,662). The Sheriff's Office is the administrating agency for the MCNNET grant, funded through the Arizona Criminal Justice Commission, which was approved by the Board of Supervisors on June 18, 2008 (C-50-08-578-3-ZZ; C-50-08-585-3-00). The Surprise Police Department has participated in the MCNNET in the past and is rejoining the Team. (C-50-09-020-3-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

16. AGREEMENT WITH SURPRISE POLICE DEPARTMENT FOR PARTICIPATION IN MCNNET (OVERTIME)

Approve the Agreement between the Maricopa County Board of Supervisors acting on behalf of the Maricopa County Sheriff's Office and the Surprise Police Department to reimburse \$11,000 for overtime expenses for the Officer assigned to the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). The term for this Agreement is July 1, 2008 through June 30, 2009.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. The Surprise Police Department is a subrecipient of grant funds therefore the indirect costs is not applicable (\$1,342). in Maricopa County Juvenile Probation is the administrating agency for the MCNNET grant, funded through the Bureau of Justice Assistance, which was approved by the Board of Supervisors on July 23, 2008 meeting (C-20-09-006-G-00). The Surprise Police

Department has participated in the MCNNET in the past and is rejoining the Team. These expenses were included in the FY2009 Sheriff's Office budget. (C-50-09-021-3-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

17. WAIVER TO COMPENSATION PLAN VI.A. SALARY ADVANCEMENT

Approve a waiver to the Maricopa County Compensation Plan Section VI.A. Salary Advancement to allow a salary advancement to be effective retroactive to July 14, 2008, for Reginald Graham in the Sheriff's Office. This action corrects an earlier erroneous placement of Reginald Graham in a lower than appropriate pay grade.

The cost associated with the approval of this retroactive salary advancement request including variable benefits is \$1,310.89 and will be fully funded within the Sheriff's Office current budget this fiscal year and subsequent years. (C-50-09-023-6-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

18. ADDITION TO FLEET OF CUSTOM TRAILER FOR LAKE PATROL

Approve the one-time addition to fleet of one single axle cascade air trailer (A #1) currently used by the Lake Patrol Division to refill SCUBA air tanks while on dive missions. The approximate value of this item is \$2,000.

Maintenance on this trailer is estimated to be \$500 per year from the general fund (100). These funds are budgeted in the Lake Patrol org, where it is currently being used. It will be retired at the end of its useful life with no funding from the general fund for its replacement. (C-50-09-024-M-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Wilcox, Wilson
Absent: Brock

~ Supervisor Brock entered the meeting ~

19. DONATIONS TO SHERIFF'S OFFICE

Accept the cash donations of \$3,000 from Roger and Patricia Schmitz and \$2,635.20 from KTAR to the Sheriff's Office to support law enforcement. (C-50-09-022-D-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilson
Nays: Wilcox

20. ANNUAL REPORT OF DONATED NON-CASH ITEMS

Accept the annual reports received from the Sheriff's Department for FY 2008 as on file in the Clerk of the Board's Office.
(C-06-09-124-D-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

21. SALE AND TRANSFER OF EQUIPMENT TO CRIME PREVENTION POSSE

Pursuant to A.R.S. §11-251(9), approve the sale for \$3,820 of vehicle #31636, a 2006 Ford Expedition, that is designated for auction to the Sheriff's Office Crime Prevention Posse.

This Expedition will be sold to the Posse with all standard markings and reflectors, the U-brackets for Unitrol Control boxes and radios, wiring and power connections for radios and lights, a vehicle push bar and external search and district radio antennas with cabling. It will be put into service to support Techno-Cop warrants, prisoner transports and assisting deputies in district patrol activities. This vehicle will be used by both Reserve and Posse members. UNANIMOUS CONSENT OF THE BOARD IS REQUIRED. (C-50-09-016-M-00)

Motion to approve on a roll call vote by: Supervisor Don Stapley, Seconded by:
Supervisor Fulton Brock
The Clerk called the Roll:
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Treasurer

22. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORTS

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for August 2008, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-008-7-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

TRIAL COURTS

Juvenile Probation and Detention

23. TRANSFER EXPENDITURE APPROPRIATION TO CORRECT INDIRECT COST ALLOCATION

Pursuant to A.R.S. § 42-17106, transfer expenditure appropriation in the amount of \$641,840 from the Non-Departmental (470) General Fund (100) Operating (0000) Unreserved Contingency line to Juvenile Probation (270) General Fund (100) Operating (0000). In addition, transfer expenditure appropriation in the amount of \$641,840 from Juvenile Probation (270) Detention Fund (255) Operating (0000) to the Non-Departmental (470) Detention Fund (255) Operating (0000) Contingency line.

The requested action is necessary to fully fund indirect cost in the Juvenile Probation General Fund (100). The Department had a calculation error occur in preparing the FY 2008-09 department budget. This miscalculation went undetected until after FY 2008-09 Adopted Budget had been approved by the Board of Supervisors. The inaccuracy, if uncorrected, would result in the Juvenile Probation's Detention Fund (255) running a surplus of \$641,840 and the General Fund experiencing a deficit of the same amount. The Board approval allows for the budget to be corrected between the two Juvenile Probation funds so that the budget will reflect the actual cost of the transfers of indirect cost. (C-27-09-002-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Superior Court Judges and Commissioners

24. TRANSFER OF EXPENDITURE APPROPRIATION FOR AUDIO VISUAL EQUIPMENT CONVERSION

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$68,800 from Non-Departmental (471) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to the Superior Court (800) Trial Courts Special Revenue Fund (259) Non-Recurring (0001). Also decrease the revenue appropriation in Non-Departmental (471) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$68,800. Approval of this action will support one-time labor expenditures for the installation of audio visual equipment purchased by the Superior Court in the previous fiscal year of 2008.

In fiscal year 2008, the Superior Court purchased and installed eight courtrooms' with new audio visual equipment named "For the Record" (FTR) as a replacement to the current audio visual system named "Jefferson Audio Video Equipment System" (JAVS). In May of fiscal year 2008, the Superior Court purchased additional FTR equipment for nine courtrooms for installation to occur in FY 2008-09. Action requested is approval of labor costs associated with installation of the FTR audio visual equipment for these nine courtrooms. (C-38-09-004-2-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

25. CENTRAL COURT BUILDING BASEMENT CONSTRUCTION

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$130,000 from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Trial Courts Special Revenue Fund (259) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) by \$130,000. Approval of this action will support one-time e-courtroom equipment and labor expenditures for the construction of four new Superior Court courtrooms in the basement of the Central Court Building.

The Central Court Building basement construction remodel is to allow for a total of four RCC (Regional Court Center) courtrooms. Current projection indicates a completion date of April, 2009. Approval of this action will support one-time e-courtroom equipment and labor expenditures that are not covered by the construction budget. (C-38-09-005-2-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

COUNTY MANAGER

Office of Public Defense Services

26. AMENDMENT TO “ATTORNEY MANAGEMENT AND CAREERPATH” FOR INDIGENT REPRESENTATION CAPITAL ATTORNEYS

Approve an increase of two (from 43 to 45) in the number of Capital Attorneys allowed for Indigent Defense per the ‘Attorney Management & Professional Career Paths’, approved by the Board of Supervisors on April 18, 2007 (C-49-07-047-6-00).

This item requests authorization for an increase in the number of Capital Attorneys allowed for Indigent Defense per the Attorney Management & Professional Career Paths. The Attorney Management & Professional Career Path for the Indigent Representation Offices was originally approved by the Board on April 18, 2007. Indigent Defense would like to increase the capital unit by one team to allow for additional case capacity in the Public Defender’s Office. This will require the number of allowed capital attorneys to increase from 43 to 45. Without the additional capacity in the staffed offices, the Office of Public Defense Services will be required to appoint contract attorneys at a higher cost per case. Funding for this action will come from budgeted money transferred from the Office of Public Defense Services to the Public Defender’s Office. The authority for such transfer has been given by the Board to the County Manager and the amount will be determined and approved by the Office of Management and Budget. Stipend amounts for Capital Attorneys will remain unchanged. Capital Case Lead Counsel and Senior General Counsel would receive \$17,500; and Capital Case second chair attorneys would receive \$10,000. Attorneys working less than a full time schedule would receive a pro rated share of the applicable stipend. The stipend would be paid out in substantially even increments based on the number of pay periods during the calendar year. The stipend is temporary “management assignment” or “professional assignment” pay pursuant to Section VII.A of the Maricopa County Employee Compensation Plan, and would end if the services of the employee are not longer needed in the function in the discretion of the appointing authority. (C-49-07-047-6-01)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

DEPUTY COUNTY MANAGER

Office of Enterprise Technology

27. TRADE-IN OF CISCO NETWORKING EQUIPMENT

Approve the return of Cisco networking equipment no longer in use according to the approved Contract # 07131. The equipment has reached its end of life and can no longer be serviced or repaired.

Updating the network infrastructure to meet the demands of the County's data requirements requires the purchase of new equipment. The return of the old network equipment allows the County to purchase this new equipment at a lower cost. All the equipment being returned to Cisco is no longer in use and is at end of life. As the network infrastructure upgrade proceeds the end of life equipment removed will be returned to Cisco for cost savings on additional future purchases. Cisco Systems is bearing the cost of removal and disposal of this electronic equipment. All equipment involved in the return will be removed from the Maricopa County Asset list. (C-41-09-005-M-00)

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Health

28. AGREEMENT WITH ST. VINCENT DE PAUL AGENCY FOR DIETETIC INTERNSHIPS

Approve an Affiliation Agreement between the St. Vincent De Paul Agency and Maricopa County through its Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship. The agreement is non-financial, and does not affect the County general fund. The term is from July 1, 2008 through June 30, 2013. (C-86-09-027-3-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

29. AMENDMENT TO AGREEMENT WITH SOUTHWEST CATHOLIC HEALTHCARE NETWORK D.B.A. MERCY CARE PLAN

Approve Amendment No. 1 to Participating Health Provider Agreement between Southwest Catholic Healthcare Network d.b.a. Mercy Care Plan, an Arizona Health Care Cost Containment System (AHCCCS) health plan, and Maricopa County d.b.a. Healthcare for the Homeless through the Department of Public Health's Health Care for the Homeless (HCH) Clinic. This amendment replaces Attachment B of the original contract and is effective June 1, 2008. All other terms and conditions of the original agreement remain in full force and effect. (C-86-06-016-1-01)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

30. AGREEMENT WITH NEW HOPE CATTLE DOGS RESCUE & REHOMING, INC. FOR NEW HOPE PROGRAM

Approve an Agreement between Shannon Stevens, d.b.a. New Hope Cattle Dogs, Rescue & Rehoming, Inc., 6031 E. River Run Drive, Cottonwood, AZ 85326, and Maricopa County to allow New Hope Cattle Dogs, Rescue & Rehoming, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within

the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 10 new hope rescues over the term of the agreement, for a total of \$400. The term of this agreement is from October 1, 2008 through June 30, 2011. (C-79-09-027-3-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

31. IGA WITH CITY OF MESA FOR ANIMAL CONTROL SHELTER SERVICES

Approve an Intergovernmental Agreement (IGA), between Maricopa County Animal Care & Control and the City of Mesa, for Animal Control Shelter Services. This IGA is effective from July 1, 2008 through June 30, 2009. The City of Mesa agrees to pay full cost recovery for basic shelter services, plus additional costs incurred as a result of court holds, feral cats, animal species other than dogs and cats for FY 2008-09 estimated to be \$71,357.06 based on fees approved by the Board of Supervisors on November 2, 2005 (C-79-06-024-7-00) and historical levels of service for this jurisdiction. (C-79-09-025-3-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

32. DONATIONS

- a. Accept the monetary donation from Vernice Windus of Chandler, AZ in the amount of \$250 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-022-D-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Accept the monetary donation from Louise Solheim of Phoenix, AZ in the amount of \$500; and, the monetary donation from White Star Showstoppers Youth Club of Chandler, AZ in the amount of \$500 for the care of the animals. The total for these donations received is \$1,000. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-028-D-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

33. KENNEL PERMITS

Pursuant to A.R.S. §11-1009, approve the following kennel permits:

- a. Kennel permit #444 for Todd Phillips, d.b.a. Phillips Kennels, located at 43609 N. 18th Street, New River, AZ 85087 in District 3 for the term of September 17, 2008 through September 16, 2009. The cost of a kennel permit is \$328. (C-79-09-023-L-

00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Kennel permit #389 for Sue Nix, d.b.a. Nix Kennels, located at 2505 E. Louise Drive, Phoenix, AZ 85032 in District 3 for the term of September 17, 2008 through September 16, 2009. The cost of a kennel permit is \$328, plus late fee of \$25 for a total of \$353. (C-79-09-024-L-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. Kennel permit #417 for Stephen Fowler, d.b.a. Fowler Kennels, located at 227 E. Mano Drive, New River, AZ 85087 in District 3 for the term of October 1, 2008 through September 30, 2009. The cost of a kennel permit is \$328. (C-79-09-026-L-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Human Services

34. MOU WITH VALLEY OF THE SUN YMCA FOR PLOT PROGRAM ACTIVITIES

Approve an Memorandum of Understanding between Valley of the Sun YMCA and Maricopa County through the Human Services Department, to provide Producing Leaders of Tomorrow (PLOT) program activities to Valley of the Sun YMCA participants. This Memorandum of Understanding is non-financial and is effective from October 1, 2008 until August 31, 2009. (C-22-09-100-3-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

35. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Approve Amendment No. 3 to an Intergovernmental Agreement between Arizona Department of Economic Security (9) and Maricopa County through the Human Services Department in the not-to-exceed amount of \$1,000,000. This amendment is funded by a grant from Arizona Department of Economic Security, C-22-09-008-3-00. The purpose of this amendment is to increase funds. The Department of Human Services' indirect rate for FY 2008-09 is 15.2%. Grant indirect expenses are fully recoverable and are estimated to be \$131,944. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

Revenue and expenditure appropriation adjustments are not required because this was expected and budgeted for in the approved and adopted FY 2008-09 Budget. (C-22-09-008-3-03)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

36. IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR WIA TITLE V FUNDS

Approve an Intergovernmental Agreement between Arizona Department of Economic Security and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$123,329. The purpose of this Intergovernmental Agreement is to provide WIA Title V funds. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009. Human Services Department indirect rate for FY 08-09 is 15.2%. Grant indirect expenses are fully recoverable and are estimated to be \$16,273. Also approve revenue and expenditure appropriation adjustment to HSD (Department 220, Fund 222, Function/Project 0000) associated with the aforementioned grant in an amount of \$123,329 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-22-09-102-3-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

37. CONTRACT WITH ARIZONA COMMUNITY ACTION ASSOCIATION FOR WEATHERIZATION SERVICES

Approve a contract between Arizona Community Action Association and Maricopa County through the Human Services Department in the not-to-exceed amount of \$270,310. The contract was originally approved under C-22-09-018-3-ZZ. The purpose of this contract is to provide weatherization, health and safety, and utility repair and replacement services. The Contract is effective from May 1, 2008 through April 30, 2009. Funding of \$225, 258 is for sub recipient costs and is not subject to indirect charges. The Human Services' Department current indirect rate is 15.2%, or \$5,944 which is fully recoverable. Also approve revenue and expenditure appropriation adjustments to Human Services Department Grant Fund (Department 220, Fund 222, Function/Project 0000) associated with the aforementioned grant in an amount of \$270,310 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by a grant from ACAA and will not impact the County general fund budget. (C-22-09-101-3-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CHIEF FINANCIAL OFFICER

Finance

38. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

39. ADMINISTRATIVE CORRECTION TO LEASE WITH HALO/HELPING ANIMALS LIVE ON, INC.

Approve an administrative correction to agenda item C-18-08-049-4-00, previously approved by the Board of Supervisors on June 18, 2008, for Lease No. MC10180 with HALO/Helping Animals Live On, Inc. as Lessee, for office and clinic space located at 5231 N. 35th Ave., Phoenix, AZ. This correction specifies the correct square feet of the leased facility as approximately 2,976 s/f and further noted on amendment to Lease Agreement at C-18-08-049-4-01. All other terms and conditions of the Lease remain the same and in full force. (C-18-08-049-4-01)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

40. AMENDMENT TO LEASE WITH CENTRAL ARIZONA SHELTER SERVICES, LLC

Retroactively approve and execute Amendment No. 1 to lease No. MC10166 with Central Arizona Shelter Services, LLC, Lessee, for 7,687 square feet of warehouse space located at 1214 W. Madison, Phoenix, AZ. The term of the lease commences September 18, 2008, and terminates September 17, 2009, with an option to renew for one additional year. The annual rental rate is \$1.00 per year. The Lessee wishes to utilize this facility as a "Low Demand" shelter. This lease contains a 90-day termination provision and a six-month holdover. The Facility Review Committee endorsed this action via electronic voting during August 2008. (C-18-08-010-4-01)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

41. DECLARATION OF OFFICIAL INTENT FOR OFFICE OF COMMUNICATIONS CAPITAL EQUIPMENT

Approve and authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the financing of the Office of Communications capital equipment in an amount not-to-exceed \$50,000 (principal). Authorize appropriate departmental representatives to sign lease documents. All capital lease documents are subject to County Counsel approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Communications will be expending funds for the capital equipment and will be reimbursed from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 4.50% (estimated – actual interest rate may be higher) interest rate for the maximum principal amount financed of \$50,000 equates to yearly debt service payments of approximately \$17,849 (principal and interest); monthly capital lease payments will be approximately \$1,488 (principal and interest). The funds are budgeted. (C-18-09-024-2-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

42. RESOLUTION FOR THE CONSTRUCTION OF THE MARICOPA COUNTY REGIONAL DEVELOPMENT SERVICES AGENCY BUILDING

Adopt a Resolution which would: (1) authorize financing on a lease-purchase basis of the acquisition and improvement of property (2) authorize the sale of certain County properties to the Maricopa County Public Finance Corporation, a nonprofit corporation; (3) authorize and approve the execution and delivery of a lease purchase agreement providing for the lease and purchase by Maricopa County of these certain County properties, a trust agreement for the issuance of Lease Revenue Bonds, Series 2009 (not-to-exceed \$75 million), an acquisition agreement, a continuing disclosure agreement and offering documents relating to the bonds; (4) authorize the sale of the Lease Revenue Bonds; and (5) authorize and appropriate proceeds from the Lease Revenue Bonds to fund the construction of the Maricopa County Regional Development Services Agency building. (C-18-09-022-2-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

43. RESOLUTION AUTHORIZING LINE OF CREDIT AGREEMENT WITH WELLS FARGO BANK FOR COUNTY ISLAND FIRE DISTRICTS

Adopt a Resolution and approve the Revolving Line of Credit Agreement with Wells Fargo Bank for county island fire districts. Also, approve the Revolving Lines of Credit Notes for the Gilbert County Island Fire District and the Tempe County Island Fire District.

Pursuant to A.R.S. 11-604.01, the Board of Supervisors may enter into agreements with a financial institution authorized to do business in this state for the purpose of obtaining a separate and distinct revolving line of credit for the County and each individual political subdivision of the County for the current fiscal year to pay the lawful claims and obligations of that political subdivision until sufficient monies for payment from property taxes and other non restricted revenues are received by the Treasurer.

The Gilbert and Tempe County island fire districts have been duly created and have assessed taxes for the 2008-09 tax year. The proposed lines of credit will enable these districts to meet their financial obligations and operate until such time as monies are received from property taxes. (C-18-09-016-M-00)

Motion to approve by: Supervisor Fulton Brock, Seconded by: Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Materials Management

44. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. 05127-C, QUALIFYING BID, MEDIUM/HEAVY DUTY TRUCKS, 19,600# & UP

05127-C, Qualifying Bid, Medium/Heavy Duty Trucks, 19,600# & Up (\$6,000,000 estimate/three years until October 31, 2011) Price agreement renewal for this qualifying bid for medium/heavy duty trucks, 19600 pounds and greater. Individual quotations will be solicited from all participants under this agreement when the County requires either replacement or additions to this segment of their fleet. AWARDEES: Freightliner Sterling Western Don Sanderson Ford-Fleet Arizona Truck Center Inc. Courtesy Chevrolet Five Star Ford-Fleet-10 International Trucks Midway Chevrolet Rush Truck Centers of AZ Thorobred Chevrolet (C-73-09-023-3-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Parks and Recreation

45. APPROPRIATION ADJUSTMENT FOR GRANT FUND CARRY OVER

Pursuant to A.R.S. §42-17106(B), approve an appropriation adjustment increasing the FY 2008-09 Parks and Recreation Department (300) Parks & Recreation Grant Fund (230) Non recurring (0001) revenues and expenditures in the amount of \$103,049. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The adopted FY 2008-09 Budget included FY 2007-08 carryovers that were less than the actual amounts carried over. This Budget Adjustment will provide the necessary increase in revenue and expenditure authority for several carry forward grants totaling \$103,049. (C-30-09-009-G-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

46. APPROPRIATION ADJUSTMENT FOR CARRY-OVER GRANT FUNDS FOR ADDITIONAL FENCING AT SAN TAN MOUNTAIN REGIONAL PARK

Approve an appropriation adjustment increasing the FY 2008-09 Parks and Recreation Department (300), Parks & Recreation Grant Fund (230) expenditure budget in the amount of \$17,520. This is the amount of remaining funds received from a grant from the Gila River Indian Community (GRIC) approved on agenda C-30-06-002-3-00. This grant enables Maricopa County to fence the north and south finger of San Tan Mountain Regional Park. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-30-06-002-3-01)

The Clerk announced additional language to this item to clarify the accounting string, prior to the vote: "This is non-recurring account (0001)."

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

47. CAMPING PROMOTIONAL CAMPAIGN

Approve the use of a promotional campaign to offer a second night of camping free with the purchase of one night shoreline, semi-developed or developed camping at all of its regional park locations for a limited time period through November 12, 2008. The promotion will be limited to one free night of camping per customer.

It is anticipated that this promotional campaign will result in improved revenues, during these slower months. The financial expenditure impact will be zero. (C-30-09-010-M-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Emergency Management

48. ARIZONA MUTUAL AID COMPACT (AZMAC) AGREEMENT

Approve the Arizona Mutual Aid Compact (AZMAC) between the State of Arizona and the Arizona Department of Emergency and Military Affairs, Tribal Nations, Maricopa County and all other participating municipal corporations in the State. The other participants are signing this agreement simultaneously. This mutual aid agreement provides a mechanism for Maricopa County and the other participants in Arizona to assist each other in the event that a disaster should occur. The agreement also provides a means to decline rendering assistance if doing so is not in the best interest of the County. If the agreement is put into effect as a result of a disaster, there could be either a cost to the County for assisting another participants or a gain from receiving assistance from other participants, depending on the location of the damaged area. Assistance rendered during a state-declared disaster is eligible for reimbursement according to the terms of A.R.S. 35-192 and A.R.S. 26-311. Assistance rendered during a federally-declared disaster is eligible for reimbursement according to federal guidelines. There is no cost to Maricopa County for participating in the agreement. This Compact shall be effective on the date it is recorded with the Secretary of State and shall terminate ten years after the effective date. (C-15-09-009-3-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

49. APPLY AND ACCEPT FUNDS FROM ARIZONA DIVISION OF EMERGENCY MANAGEMENT

Approve the application and acceptance of grant funds from Arizona Division of Emergency Management, (EMPGFFY2008), in the not-to-exceed amount of \$432,660 for the purpose of supporting emergency planning within Maricopa County. The grant award begins on October 1, 2007 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows for full indirect cost recovery. The Maricopa County Department of Finance has calculated the Department of Emergency Management's composite indirect cost rate at 13.80%, or \$52,466.68. The recoverable indirect cost of administering this grant is \$52,466.68. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), a budget adjustment of \$432,660.00 is not required since the grant was part of the FY 2008-09 base budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-15-09-008-G-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Environmental Services

50. TRANSFER EXPENDITURE AUTHORITY FOR STORMWATER MANAGEMENT PLAN

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$204,003 from FY 2008-09 Non-Departmental (470) General Fund (100) Stormwater Enforcement (4711) Operating (0000) to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Operating (0000) entitled "Stormwater Management." This will fund costs associated with the revision of Maricopa County's Stormwater Management Plan and Maricopa County's self assessment of the County's Stormwater compliance. These adjustments will result in a net impact of zero to the County budget. (C-88-09-004-2-00)

Supervisor Brock commented that this item again shows Maricopa County's commitment to the environment. "We are doing a number of things to improve and enhance our stormwater runoffs. The increasing number of homes and subdivisions has an impact on absorption and that water has to be channeled."

Joy Rich, Assistant County Manager, said this item will provide means to plan for ways for the County to handle responsibilities under the Stormwater Management Act. The County will respond to new environmental requirements and show stewardship and leadership in this area.

Chairman Kunasek added that this is a new plan coming down from Washington D.C. to go beyond the traditional navigable waterways. He said the County will look forward to working to find solutions to improve the entire watershed.

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Mary Rose

Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Facilities Management

51. AMENDMENT TO FY 2008-2009 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Pursuant to A.R.S. §42-17106(B), approve the following amendment to the FY 2008-09 Five-Year Capital Improvement Program in the Non-Departmental (470):

a) Adjust the project budget for the Chambers Building Basement Remodel (CHRM), General Fund County Improvements (445), by increasing Year 1 (FY 2008-09) by \$251,285, from \$1,200,000 to \$1,451,285.

b) Adjust the project budget for the PUP Tents Restroom Building (PUPR), Criminal Justice Capital Projects (455), by increasing Year 1 (FY 2008-09) by \$293,421, from \$500,000 to \$793,421.

c) Adjust the project budget for the Southeast Justice Center (SEJC), Financing 2007 Series Fund (440), by decreasing Year 1 (FY 2008-09) by \$544,706, from \$59,770,396 to \$59,225,690.

The requested action is necessary because the actual spending during FY 2007-08 for the Chambers Building Basement Remodel and the PUP Tents Restroom Building were less than anticipated. The total project budget for all three projects remains unchanged. For FY 2008-09, there is excess capacity in the budget authority in the SEJC project, \$59,770,396, which is being used to offset the increases necessary for the Chambers Building Remodel and PUP Tents Restroom carry-over amounts. The amount of the reduction of expenditure authority in the SEJC project of \$544,706 in FY 2008-09 will be budgeted in FY 2009-10 keeping the total project budget at \$80,413,244. (C-70-09-009-2-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

52. DONATION OF IMPROVEMENTS TO WHITE TANKS CEMETERY

Authorize the Director of Facilities Management (FMD) to accept the donation of services and materials from the Estrella Mountain, Litchfield Park and White Tank Rotary Clubs to provide improvements to the County's White Tank Cemetery. The improvements consist of the installation of mesquite trees and concrete benches. The improvements are valued at less than \$5,000. Maricopa County will assume maintenance responsibilities for the improvements once completed. The annual estimated maintenance expense is valued at less than \$500 and will be included within current operating authority.

The Rotary clubs have asked for permission to install the improvements at the cemetery as part of "Make a Difference Day" activities on October 25, 2008. Facilities Management has forwarded the request to the Luke Air Force Planning Division and has received their verbal approval that the improvements will not violate our agreement with the Federal Government. The annual maintenance costs are nominal and can be absorbed within current budgetary authority.

The group has executed a waiver of liability in the County's favor for this project. The county site number for this property is 2603. (C-70-09-013-D-00)

Laura Bierl said the Estrella Rotary Club has chosen the White Tanks Cemetery as one of their two projects for improvements. She corrected the listed amount of "under \$5,000" to \$5,638.40 that is coming through Rotary and Rotary International.

Ms. Bierl is Supervisor Wilson's daughter, as revealed by Supervisor Stapley. Supervisor Wilson complimented Rotary International for coming up with many different ways of helping in their communities. He said this cemetery will look much better after this group is done with their improvements.

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Max Wilson

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

53. Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-134-7-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

54. DECLARE AS EXCESS LAND - BELL ROAD-AGUA FRIA RIVER

Approve to declare approximately 27 acres as excess land. Property is a remnant from MCDOT's Bell Road-Agua Fria project. Bell Road has been annexed by the City of Surprise. Maricopa County staff has determined the property is excess to MCDOT projects. The parcel is south of Bell Road, about ½ mile east of El Mirage Road, at the Agua Fria River. It will be sold to the highest bidder at public auction per A.R.S. §11-251, and its value is estimated to be \$200,000.

Approve this property as excess land so that it can be sold at public auction and reduce Department liability and maintenance. The property will be sold at market value that will be established through the appraisal process. The property has been estimated to be worth approximately \$200,000. The property was part of the Bell Road-Agua Fria project. Bell Road was annexed in 1995 by the City of Surprise. MCDOT has no operations or maintenance of Bell Road in this location. Supervisory District No. 4 (C-91-09-048-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

55. ROAD ABANDONMENT (ROAD FILE NO. AB-218)

Adopt Resolution AB-218 to abandon a portion of Camino De Oro in the vicinity of [Pinnacle Peak Road and 99th Avenue, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an easement and agreement for highway purposes on May 6, 1996 and recorded by the Maricopa County Recorder as 1996-0310196. Supervisory District No. 4 (C-91-09-044-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

56. IGA WITH CITY OF SURPRISE, CITY OF PEORIA, AND ARIZONA ROCK PRODUCTS ASSOCIATION FOR AGUA FRIA RIVER TRUCK ROUTE STUDY

Approve an intergovernmental agreement (IGA) with the City of Surprise, the City of Peoria, and Arizona Rock Products Association (ARPA) for the preparation of a study of truck route alternatives for rock product mining operations in the Agua Fria River between Bell Road and Happy Valley Road. Estimated cost of the study is not-to-exceed \$100,000. Maricopa County Department of Transportation (MCDOT) will be the lead agency for the study. The four Partners will share equally in the cost of the study. Funding is provided in MCDOT Planning Project (TPLN), Job Number T005, Candidate Assessment Reports. This Agreement shall become effective as of the date it is approved by the Maricopa County Board of Supervisors and shall be filed with the Maricopa County Recorder. (C-91-09-041-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

57. TERMINATE CONTRACT WITH SILVER EAGLE WESTERN AND AWARD NEW CONTRACT WITH AJP ELECTRIC, INC FOR TRAFFIC IMPROVEMENTS

1. Effectuate the termination for cause the contract with Silver Eagle Western, LLC for Contract 2007-030, MCDOT Traffic Improvements (TIMP) Project, Job Number T255, Northern Avenue and Reems Road Intersection Improvements as of August 2, 2007. This contract was authorized by Board of Supervisor action on February 21, 2007 and subsequently awarded on June 1, 2007.

2. Incorporate AJP Electric, Inc. as awarded contractor for MCDOT Traffic Improvements (TIMP) Project, Job Number T255, Northern Avenue and Reems Road Intersection Improvements effective September 18, 2007. (C-64-07-177-5-01)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS

Clerk of the Board

58. APPOINTMENT TO THE SELF-INSURED TRUST FUND, BOARD OF TRUSTEES

Accept the resignation of David C. Tierney and approve the appointment of Steve Beeghley representing Supervisorial District 4. The term of the appointment will be effective as of the date of Board approval through September 30, 2011. (C-06-09-113-9-00)

Supervisor Wilson said that David Tierney "is always doing something good for our State and communities" and he thanked him for his service on this Board.

Motion to approve by: Supervisor Max Wilson, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

59. ZONING CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the October 15, 2008 meeting. (List is on file in the Clerk of the Board's office) (C-44-09-035-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

60. RESET PUBLIC HEARING RELATED TO ORDINANCE P-20 MARICOPA COUNTY ADDRESSING REGULATIONS

Pursuant to A.R.S. §11-251.08., reset the public hearing initially scheduled for October 29, 2008 to a new hearing date of 1:00 pm, Thursday, November 6, 2008, to solicit comments and consider the adoption of amended Ordinance P-20 Maricopa County Addressing Regulations regarding fee increases. The amended Ordinance is effective December 1, 2008. (C-44-09-032-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

61. ROAD FILE DECLARATIONS

Set a public hearing to declare the following roads into the county highway system for 1:00 pm, Thursday, November 6, 2008.

a. ROAD FILE NO. 5801

Adopt resolution setting hearing on Road File No. 5801 to Open and Declare the following described alignments into the County Transportation System.

Various roadway alignments together with all appurtenant rights, lying within Section 32 – T2N, R7E of the G&SRB&M, Maricopa County, Arizona; said alignments are described as follows. 78th Street The East 25 feet of the East half of the Southeast quarter of the Northwest quarter of the Southwest quarter of said Section 32; The South 25 feet of the East 25 feet of the East half of Northeast quarter of the Northwest quarter of the Southwest quarter of said Section 32; The West 25 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of said Section 32. Plymouth Street The South 25 feet of the North half of the Northeast quarter of the Southwest quarter of said Section 32; The North 25 feet of the South half of the Northeast quarter of the Southwest quarter of said Section 32, Except the West 30 feet thereof. 80th Street The East 30 feet of the Northeast

quarter of the Northeast quarter of the Southwest quarter of said Section 32, Except the South 25 feet thereof; The West 30 feet of the Northwest quarter of the Northwest quarter of Northwest quarter of the Southeast quarter of said Section 32; The West 40 feet of the Southwest quarter of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 32; A parcel BEGINNING at the Northwest corner of the Southwest quarter of the Northwest quarter of the Southeast quarter of said Section 32; Thence East 25 feet ; Thence Southwesterly to a point 25 feet south of the Point of Beginning; Thence North 25 feet to the POINT OF BEGINNING. Quenton Street The North 40 feet of the Northwest quarter of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 32, Except the West 30 feet thereof; The South 25 feet of the Southwest quarter of the Southwest quarter of the Southwest quarter of the Northeast quarter of said Section 32. 79th Street The East 25 feet of the North 310 feet of the South 325 feet of the Northwest quarter of the Northeast quarter of the Southwest quarter of said Section 32; The East 20 feet of the North 198 of the south 533 feet of the Northwest quarter of the Northeast quarter of the Southwest quarter of said Section 32; The West 30 feet of the North 508 feet of the South 533 feet of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32; A parcel BEGINNING at a point 533 feet North and 25 feet East of the Southwest corner of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32; Thence West 45 feet to the point of curve of a non-tangent curve having a radius of 45 feet and a center which bears East 45 feet; Thence Northeasterly along said curve through a central angle of 225 degrees to a point of reverse curve to the left having a radius of 45 feet; Thence Southwesterly along said curve through a central angle of 45 degrees to a point on the East line of the West 30 feet of said Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32; Thence North along said East line to the POINT OF BEGINNING. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No.2 (C-91-09-045-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

b. ROAD FILE NO. 5803

Adopt resolution setting hearing on Road File No. 5803 to Open and Declare the following described alignments into the County Transportation System. That portion of Adobe Road lying within Adobe Estates, a subdivision as shown in Book 527 of Maps, Page 06, M.C.R. General Vicinity: University Drive and Signal Butte Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2 (C-91-09-051-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

c. ROAD FILE NO. A402-R

Adopt resolution setting hearing on Road File No. A402-R, said alignment is also known as Virginia Avenue from 193rd Avenue to 192nd Avenue, lying within Supervisor District No. 4. (C-91-09-050-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

d. ROAD FILE NO. A405

Adopt resolution setting hearing on Road File No. A405, said alignment is also known as White Wing Road, from Cotton Lane (171st Avenue) to Sarival Avenue (163rd Avenue). Supervisor District No. 4 (C-91-09-046-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

e. ROAD FILE NO. A404

Adopt resolution setting hearing on Road File No. A404, said alignment is also known as Villa Lindo from 91st Avenue to 89th Avenue. Supervisor District No. 5 (C-91-09-047-M-00)

Motion to approve by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Don Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CONSENT AGENDA

Clerk of the Board

62. APPOINTMENTS

Approve the Official Appointments of Alexandra Moreno, Catherine E. Garcia, and Jessica Canales as Deputy Recorder. (C-06-09-121-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

63. DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. Duplicate Warrants are on file in the Clerk of the Board's Office. (C-06-09-128-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

64. MARKET RANGES

Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-125-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

65. SECURED TAX ROLL CORRECTIONS

Approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions are on file in the Clerk of the Board's Office. (C-06-09-131-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

66. SETTLEMENT OF PROPERTY TAX CASES

Approve the settlement of tax cases dated October 1, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-132-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

67. STALE DATED WARRANTS

The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. Stale-dated Warrants are on file in the Clerk of the Board's Office. (C-06-09-126-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

68. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-130-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Max Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS ADDENDUM

Clerk of the Board

A-1. REISSUANCE OF STALE-DATED WARRANT

Authorize the reissuance of a warrant to Louise Spinazzola in the amount of \$1,222.44 from the General Fund. This warrant replaces stale-dated Check No. 637031 issued to Ms. Spinazzola on November 16, 2005 because of her inadvertent double payment of her property tax bill. Louise Spinazzola filed a notice of claim after the statutory deadline but is alleging the tolling of that deadline. This matter was discussed in Executive Session on September 15, 2008. (C-06-09-123-2-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

A-2. SETTING OF HEARING FRANCHISE EXTENSION - WATER UTILITY OF GREATER TONOPAH (WUGT)

Pursuant to A.R.S. § 40-283, set a public hearing for 1:00 pm, Thursday, November 6, 2008 to solicit comments and consider the application by Water Utility of Greater Tonopah, for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. (F21283) (C-06-09-085-7-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

A-3. SETTING OF HEARING - FRANCHISE APPLICATION - VALENCIA WATER COMPANY

Pursuant to A.R.S. § 40-283, set a public hearing for 1:00 pm, Thursday, November 6, 2008 to solicit comments and consider the application by Valencia Water Company, for a public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C-06-09-090-L-00)

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Sheriff

A-4. AMENDMENT TO COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH TONTO NATIONAL FOREST

Approve Amendment No. 4 to the Cooperative Law Enforcement Agreement between the Maricopa County Sheriff's Office and the U.S. Department of Agriculture, Forest Service, Tonto National Forest and acceptance of up to \$190,000 in reimbursement funding for the FY 2009 Financial and Operating Plan. The reimbursement period is October 1, 2008 through September 30, 2009. Also approve an increase to the Sheriff's Office (500) grant fund (251) Recurring (0000) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$126,666. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$23,180. The Law Enforcement Cooperative Agreement was approved by the Board of Supervisors on December 21, 2005 (C-50-06-514-2-00).

The Sheriff's Office has been providing services to the Tonto National Forest prior to 1980. (C-50-06-514-2-05)

Supervisor Stapley said this agreement provides a major interface with portions of his district that share a boundary with this National Forest. He said that the Tonto National Forest is one of the most populated national forests in the nation in terms of visitors per year. He complimented the Sheriff's Office for the service they, along with the forest rangers, provide to the area.

Both Supervisor Wilson and Chairman Kunasek commented on recent visits they had taken to the Tonto National Forest and the beauties of nature as the leaves change color, as well as the professional service given to them by both Sheriff's Deputies and Park Rangers.

Motion to approve by: Supervisor Don Stapley, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING RECESSED

Chairman Kunasek recessed the Board of Supervisors to convene as the Board of Directors of various Districts.

MEETING RECONVENED

Chairman Kunasek reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

69. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Kate Goodhart appeared to protest alleged mis-treatment of citizen's civil rights, with reference to the Sheriff's Department enforcement of the illegal immigration laws. She charged that the Board of Supervisors had also mistreated citizens by having them removed from a Board meeting when they became so unruly the meeting could not continue. Ms. Goodhart also listed several other areas in which she felt the Board had infringed on Constitutional rights of citizens.

Dianne Barker, citizen, addressed transportation concerns in the Valley, including transit solutions from the West Valley to the East, which she hoped ADOT would move into and not only address freeways and highways. She spoke of connectivity and said there is no transit corridor past 79th Avenue on the I-10 and this is badly needed as population increases in that area.

Ed Mitchell, citizen, returned to continue his review of Correctional Health issues in the jails. He thanked Betty Adams, Director of Correctional Health for obtaining two diabetic pumps for inmate use. However, he is concerned to discover that, "There is no accountability, whatsoever, for the County's system," saying the Correctional Health system is not licensed, a change made in 2004, and said the number of deaths has increased significantly since 2004. He asked for support in getting the 2003 law

repealed, allowing this to further safeguard inmate health.

Chairman Kunasek asked Mr. Mitchell to put his concerns in writing and remit to him to enable follow-up.

70. Supervisors'/County Manager's summary of current events.

Supervisor Brock thanked Harry Courtright and the County Library Board and said a new library is ready to open in Queen Creek, a beautiful, 27,000 sf facility with an adjacent 20,000 sf of recreational area. He said the city is partnering with the County on this project and congratulated all on a job very well done. He said the formal, ribbon-cutting will be on November 8, 2008.

He also commented on the Schnepf Farm's annual harvest festival, in Queen Creek, and said that Muhammad Ali is being honored this year and will be in attendance as well as have his portrait cut out of a corn field. He will be able to view his likeness from a helicopter. Mr. Brock added that the chili is "dy-no-mite" and to be sure to try some.

Supervisor Stapley shared some recent highlights from his service in the National Association of Counties (NACo). At a conference earlier this week, he joined a group of mayors, governors, League of Cities members to hold a bi-partisan press conference calling on both the Obama and McCain campaigns to consider restoring and strengthening the historical federal partnership with state and local governments, that has diminished over the past 20 years. He said they agreed to ask for a meeting with the president-elect during the transition period to urge the re-establishment of this connection as quickly as possible. They believe the founding fathers, in creating these United States, designed this connection between federal and local governments to establish the voice of the people nationally.

Supervisor Wilcox thanked the Diamondbacks for their "last win of the season" and for the great job they are doing in the community through the Diamondback Charities.

Ms. Wilcox also asked for another briefing on the financial crisis and its impact on the County. She said she has received inquiries from both residents and County employees expressing concerns.

Supervisor Wilson also commented on the "stability of our government and the stability of our money that is at stake here." He felt the long-range solution is to reduce the amount of debt the nation has and not to keep borrowing and borrowing.

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

CODE ENFORCEMENT REVIEW

PZ-1. LOUIS IZZO V2006-01776

Louis Izzo: This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-01776: Louis Izzo. This item was continued from the September 17, 2008 meeting. (Supervisorial District 2) (ADM3417-065) (C-06-09-049-M-00)

Darren Gerard reported on the background of this case saying the violation is for construction without permits for retaining walls and a heated pool and spa and the case was opened on an anonymous citizen's complaint on September 27, 2006. The inspector confirmed with Mr. Izzo that he had no active permits for the ongoing construction and interaction continued, intermittently, until the present, with no permits being issued.

An administrative hearing on the violation was held June 24, 2008, and the respondent was found responsible and fined \$300 plus \$30 per diem until compliance is verified. No compliance deadline was given for suspension of accruing fines, which now total \$3,270. Several permits were applied for and are either pending or have been rendered inactive. No drainage or site plans have been submitted. Photos taken during this time span show the development of the several backyard amenities during construction. He asked the Board to uphold the Hearing Officer's Order of Judgment including fines, as accrued.

Kevin Costello said that Mr. Izzo had contacted him by phone shortly after this matter was continued at the September 17, 2008, Board of Supervisors meeting, and indicated he had been informed of the continuance to today's meeting by the Clerk's Office. Mr. Costello informed him that he would have an opportunity to speak at today's hearing.

Supervisor Stapley asked Mr. Izzo or his representative to come forward to testify if they were in the audience, but no one appeared to speak to this matter.

Motion to uphold Hearing Officer's Order by: Supervisor Don Stapley, Seconded by:
Supervisor Mary Rose Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

PLANNING AND ZONING AGENDA

David Smith left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Lynn Favour, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following planning and zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA

1. PRECISE PLAN OF DEVELOPMENT: HORIZON LANDSCAPE

Case Number: Z2007119
Supervisory District: 1
Applicant: Jason Chouinard, Chouinard Design Studio
Location: Jason Chouinard, Chouinard Design Studio
Request: Precise Plan of Development in the IND-2 zoning district (0.881 ac.) - Horizon Landscape
Commission Action: Approve by a vote of 8-0 subject to staff recommended stipulations 'a' – 'g'.
(C-44-09-034-7-00)

Motion to concur with the Planning and Zoning Commission recommendation for approval by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

2. SPECIAL USE PERMIT: CALVARY CHAPEL OF QUEEN CREEK

Case Number: Z2007126
Supervisory District: 2
Applicant: Michael Campbell for Alltel
Location: Northeast corner of Sossaman Road and San Tan Boulevard (in the Queen Creek area)
Request: Special Use Permit (SUP) for a Wireless Communication Facility in the Rural-43 zoning district (0.027 ac. Of an 8.6 ac. parcel)
Commission Action: Approve by a vote of 8-0 subject to staff recommended stipulations 'a' – 's'.
(C-44-09-033-7-00)

Motion to concur with the Planning and Zoning Commission recommendation for approval by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

3. SPECIAL USE PERMIT: AT&T WIRELESS FACILITY AT COTTON LANE COMMUNITY CHURCH

Case Number: Z2008038
Supervisory District: 4
Applicant: Reliant Services for AT&T
Location: Northwest corner of Rose Lane and Cotton Lane (in the west Glendale area)
Request: Special Use Permit (SUP) for a Wireless Communication Facility in the Rural-43 zoning district (950 sq. ft. of a 5 ac. parcel) - AT&T Wireless Facility at Cotton Lane Community Church
Commission Action: Approve by a vote of 8 – 0 subject to staff recommended stipulations 'a' - 'p'.
(C-44-09-037-7-00)

Motion to concur with the Planning and Zoning Commission recommendation for approval by: Supervisor Mary Rose Wilcox, Seconded by: Supervisor Fulton Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Andrew Kunasek, Chairman of the Board

Fran McCarroll, Clerk of the Board